APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/838,956	04/19/2001	Wendy Peikes	CSCO71241	1694

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EXAMINER
HILLERY, NATHAN

ART UNIT	PAPER NUMBER
2176	

DATE MAILED: 07/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/838,956	PEIKES, WENDY
	Examiner	Art Unit
	Nathan Hillery	2176

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *19 April 2001*.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-19* is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-19* is/are rejected.

7)☒ Claim(s) *16* is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☒ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *19 April 2001* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.

5)☐ Notice of Informal Patent Application (PTO-152)

6)☐ Other: _____.

DETAILED ACTION

1.   This action is responsive to communications: Application filed on 4/19/01.

2.   Claims 1 – 19 are pending in the case. Claims 1, 7, 11, 15 are independent.

Specification

3.   Applicant is reminded of the proper content of an abstract of the disclosure.

A patent abstract is a concise statement of the technical disclosure of the patent and should include that which is new in the art to which the invention pertains. If the patent is of a basic nature, the entire technical disclosure may be new in the art, and the abstract should be directed to the entire disclosure. If the patent is in the nature of an improvement in an old apparatus, process, product, or composition, the abstract should include the technical disclosure of the improvement. In certain patents, particularly those for compounds and compositions, wherein the process for making and/or the use thereof are not obvious, the abstract should set forth a process for making and/or use thereof. If the new technical disclosure involves modifications or alternatives, the abstract should mention by way of example the preferred modification or alternative.

The abstract should not refer to purported merits or speculative applications of the invention and should not compare the invention with the prior art.

Where applicable, the abstract should include the following:
(1) if a machine or apparatus, its organization and operation;
(2) if an article, its method of making;
(3) if a chemical compound, its identity and use;
(4) if a mixture, its ingredients;
(5) if a process, the steps.

Extensive mechanical and design details of apparatus should not be given.

4.   Applicant is reminded of the proper language and format for an abstract of the disclosure.

The abstract should be in narrative form and generally limited to a single paragraph on a separate sheet within the range of 50 to 150 words. It is important that the abstract not exceed 150 words in length since the space provided for the abstract on the computer tape used by the printer is limited. The form and legal phraseology often used in patent claims, such as "means" and "said," should be avoided. The abstract should describe the disclosure sufficiently to assist readers in deciding whether there is a need for consulting the full patent text for details.

The language should be clear and concise and should not repeat information given in the title. It should avoid using phrases which can be implied, such as, "The disclosure concerns," "The disclosure defined by this invention," "The disclosure describes," etc.

5.   The abstract of the disclosure is objected to because undue length and refers to purported merits or speculative applications of the invention, i.e. **optimally represents actual documentation contents, conforms adequately with structural standards**. Correction is required. See MPEP § 608.01(b).

Claim Objections

6.   Claim 16 is objected to because of the following informalities: incorrect dependency. Based on the totality of the claims in the case, the Office will assume claim 16 is dependent from claim 15 and not claim 17. Appropriate correction is required.

Claim Rejections - 35 USC § 103

7.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

8.   Claims 1 – 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Dooley (US005893916A).

9.   **Regarding independent claim 1**, Dooley teaches that *the present invention generally operates by converting a UNIX man page, including text tags, to a formatted help topic file including corresponding formatting codes that are readable by the Windows help compiler. The help topic file (in Rich Text Format or RTF) may also be*

readable by another compiler such as Bristol Technology's HyperHelp compiler for

UNIX which also accepts a similar format (Column 3, lines 29 – 35) and that *after help*

topics have been built from the man files, one or more specialized macros are optionally

executed to handle product-specific situations. In particular, a number of man page

variations exist, each of which may require one or more specialized macros to handle

unique formatting (Column 5, lines 49 – 54), which provide for **b) extracting a**

documentation requirement from said syntactic structure; c) extracting

documentation options from said syntactic structure; and d) combining said

documentation requirement and said documentation options into a

documentation tag construct (*corresponding formatting codes*). Dooley does not

explicitly teach **a) examining a command definition file for a syntactic structure**.

However, it would have been obvious to one of ordinary skill in the art at the time of the

invention to be motivated to do so in using the invention of Dooley because examining

the **command definition file** or *UNIX man page* for its syntactic structure would aide in

more efficiently converting the *UNIX man page* into *a formatted help topic file*.

10.   **Regarding dependent claim 2**, Dooley teaches that *the conversion process is*

highly automated (Column 8, lines 17 – 18), which provide that **said method is**

performed automatically.

11.   **Regarding dependent claim 3**, Dooley teaches that *the present invention*

generally operates by converting a UNIX man page, including text tags, to a formatted

help topic file including corresponding formatting codes that are readable by the

Windows help compiler. The help topic file (in Rich Text Format or RTF) may also be

readable by another compiler such as Bristol Technology's HyperHelp compiler for

UNIX which also accepts a similar format (Column 3, lines 29 – 35), which provide for **e)**

copying said command definition file (*UNIX man page*) **into a second command**

definition file (*help topic file*); **and f) embedding said documentation tag construct**

(*text tags/corresponding formatting codes*) **into said second command definition file**.

12.   **Regarding dependent claim 4**, Dooley teaches that *the preferred embodiment*

of the invention is implemented in one or more Word Basic macros which execute in a

specifically developed Microsoft Word for Windows template file (Column 3, lines 36 –

39), which provide for **g) generating a template for a documentation content file**.

13.   **Regarding dependent claim 5**, Dooley teaches that *in addition, after all of the*

jumps have been created, additional formatting may be performed, e.g., removing other

extraneous spaces, commas, and unmatched parenthesis as required (Column 7, lines

13 - 16), which provide for **g3) removing embedded commas,** that *the character at*

the beginning of each "See also" style paragraph is removed and replaced with a

comma and space for consistency purposes (Column 5, lines 20 – 22), which provide

for **g4) replacing embedded blanks with separator characters;** that *all of the manual*

page breaks are removed from the working document, and then manual page breaks

are inserted at the beginning of each "Heading 1" style paragraph to thereby separate

each help topic. In addition, in block 158, all of the text after the first word in each

context string footnote is deleted. This results in a context string for each help topic that

is essentially the name of the command or function which is the subject of the help topic

(Column 5, lines 5 – 13), which provide for **g5) selectively reordering names of said**

syntactic structure, g6) removing definite and indefinite articles to form a first

product; and that a *Add Parenthesis macro which is used to add parenthesis around*

"group" designations that may follow each man page function name. For example, for

the aforementioned TOP END product, each man page function is grouped into one of

five groups (1T, 2T, 3T, 4T and 5T). The Add Parenthesis macro basically searches

each footnote and "Heading 1" style paragraph for one of the groups, and inserts

parenthesis around any found group designations (Column 5, lines 55 – 63), which

provide for **g7) surrounding said first product by diacritical markers to form a final**

product. Dooley does not explicitly teach **fitable values**. However, Dooley does teach

that *the browse sequence footnote is left blank, and at a later date, suitable browse*

sequence values may be input manually by an operator, or automatically through a

separate macro configured to perform this particular function (Column 5, lines 1 – 4). It

would have been obvious to one of ordinary skill in the art at the time of the invention to

be motivated to use the invention of Dooley and provide for **g1) examining available**

fields for fitable values, g2) choosing a best fit value from among said fitable

values, since the skilled artisan would want the users of the invention to have the most

accurate information thus insuring that the suitable browse sequence value that will

automatically be input by a macro implements an algorithm that will discern the best fit

value for the footnote and to accomplish it by use of some lookup table, which is one of

the easiest and seamless ways known to those in the art.

14.   **Regarding dependent claim 6**, Dooley teaches *a method, apparatus, and*

program storage device for converting text-based man pages to formatted help topic

files of the type including non-textual formatting codes. By automating this process,

porting of applications is facilitated due to the decreased effort required to port the

applications' associated on-line help documents. Moreover, the resulting help topic files

may then be used to compile on-line help for multiple platforms which utilize compiled

help files, e.g., Windows NT, Windows 95, Windows 3.1x, and even GUI UNIX

variations such as X-Windows and Motif (Coulmn 1, lines 57 – 67), which provide that

said operating system comprises an internetworking operating system.

15.   **Regarding independent claim 7**, the claim incorporates substantially similar subject matter as claim 1, and is rejected along the same rationale.

16.   **Regarding dependent claim 8**, the claim incorporates substantially similar subject matter as claim 3, and is rejected along the same rationale.

17.   **Regarding dependent claim 9**, the claim incorporates substantially similar subject matter as claim 4, and is rejected along the same rationale.

18.   **Regarding dependent claim 10**, the claim incorporates substantially similar subject matter as claim 5, and is rejected along the same rationale.

19.   **Regarding independent claim 11**, the claim incorporates substantially similar subject matter as claim 1, and is rejected along the same rationale.

20.   **Regarding dependent claim 12**, the claim incorporates substantially similar subject matter as claim 3, and is rejected along the same rationale.

21.   **Regarding dependent claim 13**, the claim incorporates substantially similar subject matter as claim 4, and is rejected along the same rationale.

22. **Regarding dependent claim 14**, the claim incorporates substantially similar subject matter as claim 5, and is rejected along the same rationale.

23. **Regarding independent claim 15**, the claim incorporates substantially similar subject matter as claim 1, and is rejected along the same rationale.

24. **Regarding dependent claim 16**, the claim incorporates substantially similar subject matter as claim 3, and is rejected along the same rationale.

25. **Regarding dependent claim 17**, the claim incorporates substantially similar subject matter as claim 4, and is rejected along the same rationale.

26. **Regarding dependent claim 18**, the claim incorporates substantially similar subject matter as claim 5, and is rejected along the same rationale.

27. **Regarding dependent claim 19**, the claim incorporates substantially similar subject matter as claim 6, and is rejected along the same rationale.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Nathan Hillery whose telephone number is (703) 305-4502. The examiner can normally be reached on M - F, 8:30 a.m. - 5:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Joseph H. Feild can be reached on (703) 305-9792. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free).

JOSEPH FEILD
SUPERVISORY PATENT EXAMINER

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